



S-10-04

IFW/RCE  
V3683

PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/590,586
Filing Date	June 8, 2000
First Named Inventor	Holmes
Art Unit	3683
Examiner Name	Melody Burch
Attorney Docket Number	P53569US01NJ

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☒ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 50-0954

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☒ Check in the amount of \$ 1720 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Nathan W. Johnson	Registration No. (Attorney/Agent)	44,173
Signature		Date	5/7/2004

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Nathan W. Johnson	Date	5/7/2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**VIA EXPRESS MAIL NO. EV302016409US**

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**Re: Request for RCE**  
**Serial No.: 09/590,586**  
**Inventor: Holmes, William W. IV**  
**Filed: June 8, 2000**  
**Examiner: Burch, Melody M.**

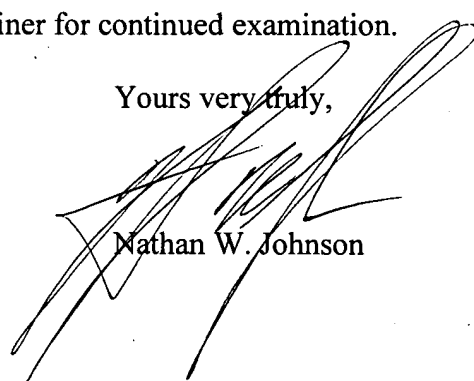
Dear Commissioner:

Please find enclosed a Request for Continued Examination, including

- a. An RCE Transmittal form PTO/SB/30,
- b. A Submission
- c. The proper fees for an RCE and an extension of three months.

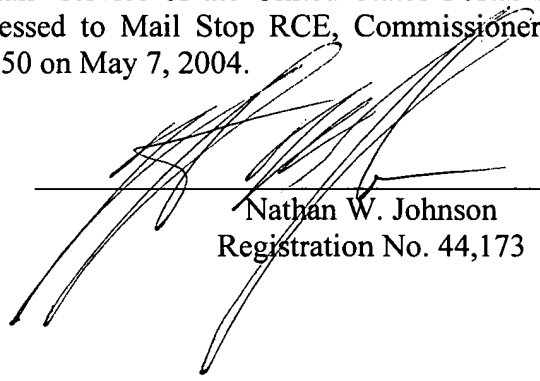
Applicant hereby requests an extension of three months. Please accept, enter, and forward these materials to the examiner for continued examination.

Yours very truly,

  
Nathan W. Johnson

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that the enclosed cover letter, Request for Continued Examination Transmittal, Submission (being an amendment and response), regarding application Ser. No. 09/590,586, with the appropriate fees for a RCE and an extension of three months (\$1720, total) are being deposited with the "Express Mail" service of the United States Postal Service in an envelope marked EV302016409US addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 7, 2004.



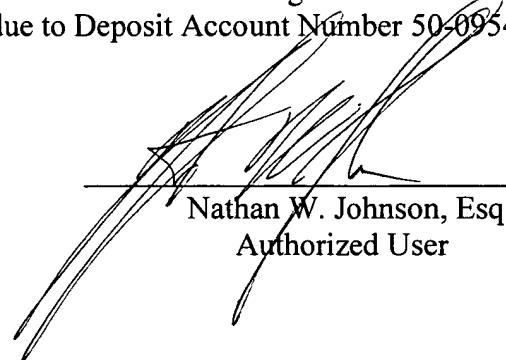
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Nathan W. Johnson  
Registration No. 44,173

Date: May 7, 2004

**AUTHORIZATION TO CHARGE  
DEPOSIT ACCOUNT**

If, after processing the enclosed checks, any charges, fees, or sums due remain unpaid in connection with this correspondence, I hereby authorize the Commissioner of Patents and Trademarks to charge all such remaining fees, charges, and other sums due to Deposit Account Number 50-0954.



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Nathan W. Johnson, Esq.  
Authorized User



App. Ser. No.:	09/590,586
Filing Date:	June 8, 2000
Inventor:	Holmes, M.
Title:	Restraining Gasket for Mechanical Joints of Pipes
Responsive to:	Office Action of 11/10/03
Examiner:	Burch, M.
Art Unit:	3613

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

## Submission Accompanying RCE

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

**REQUEST FOR CONTINUED EXAMINATION:** The Applicant hereby respectfully requests continued examination of Application Serial Number 09/590,586. In connection with this request, Applicant submits as its Submission under 37 C.F.R. 1.114(c) the Amendment and argument attached hereto, in response to the Examiner's Office Action dated November 10, 2003. Reconsideration and reexamination in light of this submission is respectfully requested.

**EXTENSION REQUEST:** Applicant requests and petitions for an extension of three months, and attaches hereto the appropriate fee for such extension.

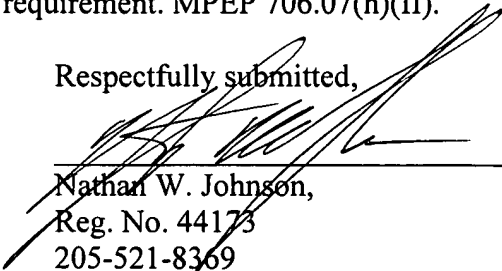
**RCE CONDITIONS SATISFIED:** This RCE and Submission satisfy all requirements:


- Prosecution is closed (37 C.F.R. 1.114(a)), because the application is subject to a final Office Action (37 C.F.R. 1.114(b)).
- Applicant requests continued examination (37 C.F.R. 1.114(a)), by virtue of the RCE Cover Sheet attached hereto and the above request.
- The Fee set forth in 37 C.F.R. 1.17(e) is included herewith by means of a check and an authorization to charge deposit account
- This filing is made prior to the abandonment of the application. No issue fee has been paid, and no notice of appeal has been filed.

**PROPER SUBMISSION:** This Submission is an amendment, some aspects of which have been submitted to the Examiner previously, but which have not been entered by the Examiner. This satisfies the submission requirement. MPEP 706.07(h)(II).

  
DATE Signed

Respectfully submitted,

  
Nathan W. Johnson,  
Reg. No. 44173  
205-521-8369

Express Mail No. E1302016409US 

Appl. No. 09/590,586  
Response Dated May 7, 2004  
Reply to Office Action of 11/10/03

Attorney Docket No.: P53569US01NJ



App. Ser. No.:	09/590,586
Filing Date:	June 8, 2000
Inventor:	Holmes, M.
Title:	Restraining Gasket for Mechanical Joints of Pipes
Responsive to:	Office Action of 11/10/2003
Examiner:	Burch, M.
Art Unit:	3683

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

**Amendment in Patent Application**  
**Submission in Connection with RCE**

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

The above identified applicant respectfully requests the Commissioner of Patents consider the enclosed remarks and enter the following submission into the record, in response to the Examiner's Office Action dated November 10, 2003. Reconsideration in light of this submission is respectfully requested. If the Examiner requires additional action that may benefit from a telephone call, Applicant invites a call to its attorney of record, Nathan W. Johnson (Reg. No. 44,173). E-mail correspondence and transactions to [NJohnson@BradleyArant.com](mailto:NJohnson@BradleyArant.com) are authorized and encouraged.

**Amendments to the Specification** - None

**Amendments to the Claims** begin on Page 2 of this paper.

**Amendments to the Drawings** begin on Page 3 of this paper.

**Remarks/Arguments** begin on Page 4 of this paper.

An **Appendix**, annotated drawings correction sheets, is attached as page 10 of this paper.

A **Certificate of Express Mailing** is attached at the end of this paper.